

# THE ATLANTA CONSTITUTION.

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## AT AS YOU PLEASE

Restaurant Proprietors Cannot Make One Eat According to Programme.

## ALL LEFT WITH THE MAN WHO PAYS

If One Prefers to Begin on Pie and Take Beef and Beans Afterward It is His Own Business.

New York, March 14. (Special)—Jason W. Warren's contention that Dennett, the restaurant man, had no right to raise his lunch check because he (Warren) ate his piece of apple before his "beef and," and took his milk and sandwich before cake afterward, or even if he began with shortcake, which he says he did.

So when Mr. Dennett's agent, in the shape of a sixteen-year-old "Brown de wheat" or "Brown de buckwheat," raised the check, Warren raised a row and was arrested.

He objected and sued for \$2,000 damages, on the ground of false arrest, maintaining that there is nothing in the constitution which places "one apple" before "beef and," and that even the texts with which Mr. Dennett warns his guests against similar ways contain no reference to the order of "coffee and sinkers" and "beef and."

In the city court yesterday, where Alfred W. Dennett and his manager, Thomas Tynan—who, by the way, was flippantly called John Doe—were asked to explain the matter, Judge Van Wyck and a jury awarded Mr. Warren \$35 damages.

## WHAT THE CASE SHOWS.

The case is new in that it shows that while there is an order of dishes in Dennett's as well as in Delmonico's, a free American citizen can lead off with pie, wander through the house, dishes afterward and finish up with strong shortcake, and still be within the law.

The evidence adduced showed that it was on May 22, 1890, that Mr. Warren, who is a printer nineteen years old, went into Dennett's Park Row restaurant and began to eat. He had 50 cents. A man opposite was eating strawberry shortcake, and, though it was 15 cents a "throw," Warren ordered slice of it and a glass of milk.

He finished his meal and ordered a piece of apple pie and another glass of milk. That made 20 cents in the pie he wedged in the "beef and" between the "beef and" and the shortcake he couldn't remember it, but the girl who served him gave him a 40-cent bill.

He refused to pay it, saying there was an overcharge of 10 cents. The girl said he had eaten "beef and" also, and maintained that the check was correct. The manager, knowing the influence for rightness of the girls' voices, paid the bill, and supposing Mr. Warren was both hungry and ungodly, believed the girl and insisted that Mr. Warren pay 40 cents.

At the Oak street police station, to which Mr. Warren was committed, Tynan, repelled by a notion of a personal wrong, advised Mr. Warren to pay the dime and escape being locked up. He paid under protest, and was released, but he immediately engaged Lawyer P. M. S. Putnam, and sued for \$2,000.

## QUESTION OF "BEEF AND."

This is the main in Mr. Warren's story, told on the witness stand.

Then Annie Hoolihan, the girl who served him, was called. She said she had been a waitress for fourteen long years, and could not conceive a piece of pie with the long family "beef and" before it. She said Mr. Warren first ordered a piece of pie and a glass of milk; that he then ordered and ate beef and beans, and wound up with the strawberry shortcake. This order of things was strong in Dennett's, and she could not understand the waitress.

"Mamie," she said, "this young fellow orders pie before his beans, and now he's called for shortcake. I think he's trying to 'do' the house."

The girl, the manager about it, and he did not ready to denounce Mr. Warren as a scoundrel, but the waitress, who was the only one who had been to the restaurant, said that he was 10 cents bigger than the meal. It was the "pie-before-beans play" that aroused her suspicion, and the subsequent trouble caused her to remember the waitress.

Manager Tynan testified that in spite of the scriptural texts displayed, customers gave strange or additional orders, secured two checks, paid the small one and canceled the large one. For this reason he believed the waitress.

Warren's employer gave the young man an excellent character. The judge told the jury to find as they believed, and in ten minutes he did so. Mr. Tynan, who had the case, when the latter protested that the check was 10 cents bigger than the meal, said it was the "pie-before-beans play" that aroused her suspicion, and the subsequent trouble caused her to remember the waitress.

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## WHAT FORAKER SAYS.

In addition to very lively home politics a little national spirit was injected into select circles toady by the arrival of a few active workers in the vineyard of patriotism—for what's-her-name's sake. As soon as ex-Governor Foraker, of Ohio, was sighted in afternoon he was surrounded by at least a dozen followers of his political faith, who questioned him closely on the subjects uppermost in their minds. Without waiting to find out if he believed in them, he bought the crowd a meal at the Buckeye State. I do not think there will be any opposition to him at all in the state. The Ohio crowd would have to be invited on projection lines, and reciprocity resurrected. Then Mr. Foraker blossomed out as Jinga, and declared that the starry flag should float over every island of the United States, and the Union can join them. The Ohio crowd, jolted out of their deep boozes, an utterance that was seconded by one or two of Warner Miller's men in his defense.

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## FLOODS AT COLUMBUS.

Trains Are Delayed and Mills Have to Shut Down.

Columbus, Ga., March 14. (Special)—Never before in the history of Columbus has there been such a heavy rainfall as the one which visited this city this morning. The rain has been falling in torrents for three hours, flooding the streets, swelling the streams around the city and sweeping away all along the line. In order to get the country on a correct basis, however, that party would have to undo much of what the demagogues had done. For instance, he bought the crowd a meal at the Buckeye State. I do not think there will be any opposition to him at all in the state. The Ohio crowd would have to be invited on projection lines, and reciprocity resurrected. Then Mr. Foraker blossomed out as Jinga, and declared that the starry flag should float over every island of the United States, and the Union can join them. The Ohio crowd, jolted out of their deep boozes, an utterance that was seconded by one or two of Warner Miller's men in his defense.

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ATLANTA, GA., March 15, 1895.

## Starred Out of Existence.

The New York Sun has this to say of  
the southern tour of the Massachusetts  
legislative committee appointed to in-  
vestigate the status and prospects of  
our cotton mills:

Massachusetts has taken alarm at the  
large transfer of cotton manufacturing from  
the north to the south, and the fac-  
tory owners of the state, as well as the  
mill hands, are anxiously awaiting the re-  
port of the committee appointed by the leg-  
islature. The members of the committee have taken  
the right method of procuring information by  
visiting North Carolina and Georgia, where  
most of the new factories have been es-  
tablished, and by examining the factories,  
and interviewing the owners. The most  
interesting piece of news received  
from them thus far is that nearly all the  
southern factories were built and carried  
by northern capital, about one-half of  
the amount of which thus invested is owned  
by the manufacturers, and the rest by  
the mill hands, who are to be paid as  
an extent may be possible.

This, however, is a question of public  
health, which is superior to the little  
economy sought. Let parents see that  
their children have clean books, which  
will prove a great incentive to their  
studies. The sense of proprietorship  
which children have in their books is  
one of the pleasures of youth which  
should not be curtailed.

town to town and county to county like  
a prairie fire.

The Springfield paper intimates that  
the pamphlets used by the gold men in  
their campaign of education are too  
heavy and dull to attract attention,  
whereas the silver pamphlet is bright  
and entertaining, and written in such a  
clear, simple style that it can be un-  
derstood by the average reader. It ad-  
mits that it will be impossible for the  
gold standard men to produce any  
literature that will conquer the effect  
of "Colin's" wonderful little book, and  
despairingly says that nothing can stay  
the triumphant progress of silver but a  
revival of business and better prices,  
and it declares that the revival should  
be started this year.

The friends of silver will not stand in  
the way of a business revival. They are  
anxious to see it, and if the gold men  
are able to control the matter they may  
proceed to revive our industry and com-  
merce with the assurance that the  
men of the school board, to be cared for and handed down from  
one pupil to another. One child in a  
school may develop diphtheria, and  
there is no telling how many of these  
books may have been handled by the  
sick one before the illness was discov-  
ered. The school authorities of Boston  
have been advised by city physicians to  
prohibit the use of second-hand books.

The free tuition afforded, enabling a  
pupil to get a good education absolutely  
free, ought to be enough for the most  
zealous claimant for public favor, with-  
out asking that books also should be fur-  
nished. The claim might as well be  
put to the committee appointed by the leg-  
islature, that the state should furnish a  
warm dinner on school days, as well as  
clothing for the pupil.

This, however, is a question of public  
health, which is superior to the little  
economy sought. Let parents see that  
their children have clean books, which  
will prove a great incentive to their  
studies. The sense of proprietorship  
which children have in their books is  
one of the pleasures of youth which  
should not be curtailed.

exposed, and we shall soon see them  
driven into the last ditch.

## Against Free School Books.

Major Baxter, of Portland, Me., has  
raised his voice against the free school  
book question, on highly scientific  
grounds.

"The furnishing of such books," he  
says, "is a fruitful cause of spreading  
infectious diseases. Passing from hand  
to hand, these books not only become  
filthy, but if disease exists in the school  
furnish a ready means of convey-  
ance, and as they cannot be thoroughly  
disinfected, they are a constant menace

to the health of children."

The men born in Spanish-America  
within the last thirty years are law-  
abiding, looking to the firm establish-  
ment of their governments and the pros-  
perity of the people. They look with  
intense satisfaction upon the taking off  
of the old men, whose native element  
is revolution and whose places will  
never be filled. Garza was the most  
dangerous of his class in Mexico, where  
the news of his death will be welcome  
indeed.

## A Legal Outrage.

The legal proceeding by which it is  
sought to place Mr. Charles A. Dana, of  
The New York Sun, on trial in Wash-  
ington for libel, is an outrage against  
which the press of the country, regard-  
less of business affiliations should protest.

The courts of the country should  
allow to be open to the humblest citizen  
for redress any genuine wrong the  
press might inflict upon him. The pub-  
lisher of a newspaper always has a  
domicile where he may be reached, and  
while it is proper that one libeled should  
be called to trial before a jury of his  
peers, the defendant should be tried before  
a jury of his learning, his wisdom, his  
loyalty and his unselfish patriotism.

Will Mr. H. H. Kohlsaat kindly invest  
in a dozen or so cotton mills before he  
leaves Georgia?

## A Fishing Story.

Bill's at the garden gate,  
Chasin' of a bug;  
Johnny, run an' bring the bait;  
Daddy'll fetch the jug;

Johnny's cryin' with alarm,  
Where the waters foam;  
Bill, take yer daddy's arms—  
You kin fetch him home!

They have been doing some lynching  
business out in Colorado. Will then those  
western people become civilized?

## A Miserable State of Affairs.

"It's a bad place in yer settlement?"  
"Particular bad."

"What's the trouble?"  
"Well, them that ain't got the chills is  
got the seven-year-etch; that ain't enough  
money in town to buy quinine, an' the  
doctor's done handcuffed the etch sellers  
so's they can't scratch!"

Thomag Nelson Page is doing very little  
literary work these days, much to the re-  
gret of his southern admirers. Fortune  
is often fatal to genius. It's the fellow in  
the gutter that you hear from frequently.

## The Big Hunters.

The hunting party has left these scenes.  
For the weather is far from fair;  
There's an Englishman show in New Orleans.

And a dozen of ducks elsewhere.

There will be another bond issue if Eng-  
land demands indemnity for the slaying  
of that Englishman in New Orleans. We  
may have to pay for him in gold.

## Usurped His Prerogative.

"You're charged here," said the justice,  
"with tryin' to lynch a man."

"Yes, you honor."

"Will you do justice, do you?"

"Yes, your honor."

"Well, I'm a-goin' to make a example  
o' you. How dare you take the law in yer  
own hands thataway? Don't you know  
that I do all the lynchin' for this here  
community? You're not only guilty of  
high treason, but contempt o' court!"

## EDITORIAL COMMENT.

England has \$15,000,000 invested in for-  
eign countries.

There were 4,912 suicides in this country  
last year. Nearly one-half were caused by  
despondency, and I am right welcome to Georgia.  
Mr. Kohlsaat, of Chicago, is at Thomasville,  
and he is right welcome to Georgia. Mr.  
Kohlsaat has been looking for a good  
newspaper plant for some time. He  
knows well that he may strike with John  
Trippett and buy a million-dollar share in  
The Thomasville Times-Enterprise?

## IN GEORGIA SANCTIUMS.

Jonesboro Enterprise: Notwithstanding  
the odious attempts to derogue the past  
services of Colonel Livingston, which are  
to be observed in the daily editorial effu-  
sions of "Our Lord" know and appreciate  
his faithfulness and worth as their  
representative.

"We must foster enterprise and the spirit  
of progress," he said. "If the states is to take  
the proper place among the nation, it  
must be a much bigger case than Mr. Dana  
and his opponent—it is the right of trial  
at home and before a jury of his peers,  
as guaranteed by the constitution of the  
United States.

## PRESS PERSONALS.

Carter Free Press: We are of those who  
believe that this great government should  
act for itself in this matter. Its recognition  
of silver, we believe, would bring other  
countries to the same standard. To make  
silver the only standard would be as detri-  
mental to the prosperity of the people as  
making gold the only standard for man-  
ufacturing. There has been no manu-  
facturing, as we understand it, there. China  
offers a great field for commerce, and  
altogether, so far as the outside world is  
concerned, it is practically a newly discov-  
ered country. The attention of Europe  
and America has been attracted to this  
country by the war, and when it is over  
Europe and American capital and brains  
will find a great field opened up to them."

"Then you think that the policy of the  
government with China is a good one?"

The fact is, I might say, that where outsiders have been  
more rigidly excluded than anywhere else  
in the world they will, in the future, be  
most welcome. The possibilities for invest-  
ment and development will be very great.  
The Chinese people are now essentially  
a nation of savages, but with the coming  
of course, of the many artisans who work  
with their hands, and what is needed most  
is a railway system to bring one part of  
the great empire in touch with another.  
The chances for manufacturing will be very  
great indeed. The field in China is vast,  
practically unlimited. Before the foreign  
traders have been kept at the seashore in  
the large cities, and there has been little  
opportunity for them even to learn of the  
possibilities for development, but when this  
reciprocal feeling is spoken of, the man  
will find it is a picture of a world that  
is getting the worst of it."

Sparta Isthmian: It is not too soon to  
begin the great financial campaign to de-  
cide between the double standard of gold  
and silver. The administration has  
been a silver monometallic. To make  
silver the only standard would be as detri-  
mental to the prosperity of the people as  
making gold the only standard for man-  
ufacturing. The administration of  
silver in this country to retain the  
confidence of the white metal get together  
and continue their warfare for its recogni-  
tion, one of the lawfulness of the  
United States.

## THE SILVER MOVEMENT.

West Georgia News: The south needs  
no single standard. Genuine bimetalists  
should get together. We cannot afford to  
be isolated and separated.

International Monetary Conference:  
The president may never call that con-  
ference, but the world seems to be in  
a state of great natural prosperity.  
Bolton is a man who is well educated  
and upright, and will find it a place, and it  
will be good for him.

"Then you think that the policy of the  
government with China is a good one?"

"The fact is, I might say, that where outsiders have been  
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The Atlanta Journal: The administration  
of silver in this country to retain the  
confidence of the white metal get together  
and continue their warfare for its recogni-  
tion, one of the lawfulness of the  
United States.

## RURAL LIFE IN GEORGIA.

Covington Enterprise: Good natured Wil-  
lie Ivy, after ginning about 400 bales of  
5-cent cotton, is now sawing logs for  
amusement.

Hawthorne Dispatch: The telephone  
has been a great blessing to this com-  
munity, and has done more toward uniting  
the people than all the preachers combined.  
Indeed, he has been a sort of saint in  
the community, and has succeeded in placing  
the telephone in every family in Skivinian on speaking terms.

Washington Chronicle: We learned a few  
days ago that some people in the country  
had been trying to get a telephone. We  
are—some of them—very clever people indeed.  
The stage is not in as high repute as they  
are, but the telephone is a great convenience.

Clarkeville Advertiser: If Carter Tate  
wishes to succeed himself he must be  
a good man. He is a good man, and  
he is right welcome to Georgia. Mr.  
Carter Tate is a good man, and he is right  
welcome to Georgia.

## TALK ABOUT ATLANTA.

Jackson Argus: During the late cold spell  
the people of Atlanta donated \$5,000 to the  
poor of that city. The negroes got \$4,500  
of this, and the white people \$500. The  
group in the Gate City that gave the  
most was the colored people, who gave  
\$3,500 which their race got.

Atlanta Journal: The telephone is  
a great convenience to the people of  
Atlanta. It has been a great convenience  
to the people of Atlanta. It has been a  
great convenience to the people of Atlanta.

Speaker Fleming: The people of Atlanta  
are a great convenience to the people of Atlanta.

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we should keep up with the newest shades and shapes of correspondence paper and envelopes. We make a specialty of high grade papers, such as appeal to the most refined taste and are used by the elite of society everywhere. Our new spring styles are just received and offered at popular prices. If you need fine correspondence paper do not buy until you see our stock or send for our samples.

J. P. Stevens & Bro., Jewelers and Engravers, 47 Whitehall street.

club..... club

club..... club

there are all sorts of clubs, but  
there's only one

"canadian club"

whiskies—there are, also, all sorts of whiskies, the best is canadian club—being the greatest—that's natural—all good things are imitation—trade on other people's brains as it were—don't be deceived by something "just as good"—examine the label carefully

bluthenthal "b&b",  
& bickart.big whisky house.  
Hello! no. 378. atlanta.

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LIQUOR COMPANY,

WHOLESALEERS!

9-11-13 DECATUR ST.

Our best and oldest Ryes are Q-Club, Monogram, Mt. Vernon, Imperial Cabinet, Pennsylvania Rye, Old Centennial, and ten-year-old Bourbons are Old Rippey, Jas. E. Pepper, McBrayer, Old Crow and others. Corn Whisky—"Stone Mountain"—our own brand and make.

'PHONE 48.

**OPIUM** and Whiskey Bottles cured at home without pain. Book of partisans sent FREE. W. M. W. M., Atlanta, Ga. Office 10½ Whitehall St.

"The Best" Baking Powder

Our Own Manufacture.  
The fact that we are now selling more of this brand than all other brands combined is proof of its superior quality.

H. H. JERSEY BUTTER  
10 cents per pound.

A little higher in price than many other brands, BUT—it is perfect.

THE C. J. KAMPER GROCERY CO  
50 and 302 Peachtree St., Phone 625.

Vetified Brick Pavement

Sealed proposals addressed to the mayor and general council will be received at the city clerk's office until 3 o'clock P.M. Saturday, March 19, 1895, for the paving of streets from Jenkins street to Edgewood avenue with vitrified bricks, (approximately 1000 square yards) and laying out other streets as may be ordered by the city council during the year.

Orders to specify the price per square yard, if paid for all cash on delivery and acceptance of the work and payment made to the city's proportion of such cost and one-fourth of the proportion of street railroad and abutting property. The cost of the paving and all installations, deferred payments to 1 per cent per annum interest, but not to exceed 10 per cent, street railroads to be paid to the city council.

and security to be given by the contractor to the satisfaction of the mayor and council.

Contract to be maintained to a smooth and even condition at contractor's expense for three years.

Applications can be seen at the office of Clayton, city engineer.

DAVID G. WYLIE,  
Commissioner of Public Works.

8 15

NOTICE.

Proposals for the construction of the Plant system exhibit at the Cotton States and International exposition, Atlanta, Ga., are solicited.

Each proposal must be accompanied by a satisfactory guarantee of twenty-five (25) per cent of the amount of bid as an evidence of good faith and responsibility for the payment of work and for payment of damages, which can be examined at the following places:

Office of the director, general Cotton and International exposition, Atlanta, Ga.; the Jacksonville board of trade, Jacksonville, Fla.; the associated railway land department of San Francisco, Fla.

Proposals not to be received on or before March 20, 1895. All communications to be addressed to

D. H. ELLIOTT,  
Land Agent, Associated Association of Florida, San Francisco, Fla.

## AT THE CAPITOL.

The Attorney General Renders an Important Opinion

OF GREAT INTEREST TO THE SOLDIERS

The Gate City Guard Can Carry Arms Unless the Courts Interfere—The End of the Case So Far as the State Is Concerned.

The attorney general has rendered a decision in the Gate City Guard case, the effect of which is to give Atlanta's famous organization the right to carry arms unless enjoined by the courts.

Under the military laws of the state the Gate City Guard, which is an independent company and not enrolled under the state, has no right to appear with arms. It will be remembered that when the time for enrollment came the Gate City Guard did not accept the offer of the state and the attorney general ordered that their arms be returned to the state. This was done. At the last legislature an effort was made to have special powers granted this company, permitting it to remain in the state and to be allowed to organization and to have certain immunities which it was claimed were granted the company by its original charter, and the military committee of the house, which considered the bill, reported upon it unfavorably.

The members of the Guard claim that they had never waived their rights under the original charter and did not propose to do so. They took the position that their charter was a contract and that under its terms they still had a right to the property of the state, and that the original charter, Messrs. Fielder & Davis, the company's attorneys, filed a petition asking that the governor construe the law that the company be entitled to bear arms. The petition was referred to the attorney general, and yesterday Colonel Terrell submitted it at his opinion that the question was not for the governor to decide but for the courts.

The effect of the ruling is to permit the guard to bear arms unless the courts, should a test be made, decide against them.

The case is one of great interest in military circles.

The governor yesterday passed an order allowing the North Highlands Railway Company, of Columbus, to pay taxes on the property of the state, as well as by the controller general. For three years the company made no return of its property and the controller general fixed its value at \$40,000 and issued it \$1,000 in the form of taxes, paid in advance.

Officers of the company called on Governor Atkinson several days ago, representing that the property could not possibly be worth more than \$10,000, and asking that they be allowed to pay taxes at that rate under the law. The governor said that when they would endeavor to have an act passed relieving them of the excess of taxation. The governor passed the order yesterday and the matter will come before the next session of the legislature.

The State Building.

The state exposition board met yesterday and devoted some time to the discussion of the question of premiums. It was decided that premiums should be given for special features in the agricultural exhibits, the premium list to be prepared later, but there will be no premiums for county displays and break up odds, headaches and fevers without unpleasant after effects, use the delightful liquid laxative remedy, Syrup of Figs.

The Modern Way.

Comments itself to the well-informed to do pleasantly and effectively what was formerly done in the cruelest manner and disagreeably as well. To cleanse the system and break up odds, headaches and fevers without unpleasant after effects, use the delightful liquid laxative remedy, Syrup of Figs.

The Modern Way.

The Phillips & Crew Company recently sold one grand and two uprights to the state of Georgia, and the company was formerly in Gainesville, this state. Her maiden name, she says, was Miss Watkin, and she says that Dr. Hunnicutt, a minister in the north Georgia conference, married a niece of hers. She says Dr. Green and Judge Estes, of Gainesville, know her.

Nothing can be learned in Atlanta concerning Rev. Boynton Crystal, or the others connected with the story, and it is believed that there must be some mistake.

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